

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLAUDETTE MARSHALL-MCCLURE,
Plaintiff,

V.

**WALMART, INC, *et al.*,
Defendants.**

Civ. No. 23-477

ORDER

In this personal injury action, Plaintiff Claudette Marshall-McClure proceeds against various defendants, including Gregory Gerth (a Pennsylvania citizen). (Doc. No. 1, Ex. A.) After Plaintiff initiated the action in Pennsylvania state court, some subset of defendants removed based on diversity jurisdiction. (Doc. No. 1); see 28 U.S.C. §§ 1332, 1441. Plaintiffs now move to remand, urging that removal was improper because Defendant Gerth is a citizen of the forum state. (See Doc. No. 21); see 28 U.S.C. § 1441(b)(2). Removing Defendants agree, and do not oppose remand. (Doc. No. 22). Because removal was improper, I will grant Plaintiff's Motion.

AND NOW, this 6th day of April, 2023, upon consideration of Plaintiff's unopposed Motion to Remand (Doc. Nos. 21, 22), it is hereby **ORDERED** that the Motion (Doc. No. 21) is **GRANTED**.

AND IT IS SO ORDERED.

/s/ *Paul S. Diamond*

Paul S. Diamond, J.